

No.

CR13 00486

EJD PSGE-filing

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

SEAL BY ORDER
OF THE COURT
Filed

JUL 24 2013

THE UNITED STATES OF AMERICA

RICHARD W. WIERING
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

VS.

CUONG CAO DANG, aka Calvin Dang

INDICTMENT

Count One: 18 U.S.C. § 1349 – Conspiracy to Commit Mail Fraud;

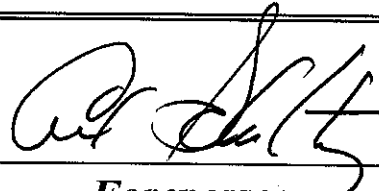
Counts Two through Seven: 18 U.S.C. § 1341 – Mail Fraud;

Counts Eight and Nine: 18 U.S.C. § 1957 – Monetary Transactions Using Criminally Derived Property;

First Forfeiture Allegation: 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) - Forfeiture of Criminally
Derived Proceeds;

Second Forfeiture Allegation: 18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture

A true bill.



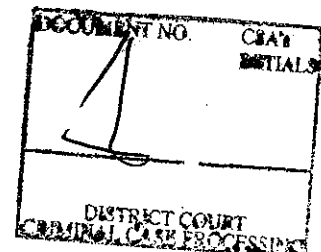
Foreperson

Filed in open court this 24th day of July A.D. 2013


UNITED STATES MAGISTRATE JUDGE

No Bail Arrest Warrant

Bail. \$ _____



SEALED BY ORDER
OF THE COURT

MELINDA HAAG (CABN 132612)
United States Attorney

Filed

JUL 24 2013

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

CR 13 No. 00486 EJD

Plaintiff,

v.

CUONG CAO DANG,
a/k/a "Calvin" Dang,

Defendant.

VIOLATIONS: 18 U.S.C. § 1349 –
Conspiracy to Commit Mail Fraud; 18
U.S.C. § 1341; Mail Fraud; 18 U.S.C. §
1957 – Engaging in Monetary Transactions
Using Criminally Derived Property; 18
U.S.C. § 981(a)(1)(C) and 28 U.S.C. §
2461(c) – Forfeiture of Criminally Derived
Proceeds; and 18 U.S.C. § 982(a)(1) –
Money Laundering Forfeiture

PSG

SAN JOSE VENUE

INDICTMENT

The Grand Jury charges:

At all times relevant to this indictment, unless otherwise indicated:

Defendant and Relevant Entities

1. Defendant Cuong Cao Dang, a/k/a "Calvin" Dang ("DANG"), owned and operated Network Genesis, Inc., a California corporation that bought and sold used Cisco parts. Network Genesis was located at 2526 Qume Drive, Suite 19, in San Jose, California, and maintained its primary operating account at Wells Fargo Bank (WFB).

2. DANG also owned and operated The Dang's Investment, Inc. ("TDI"), a California corporation located at 2611 Senter Road, Suite 138, San Jose, California. The

INDICTMENT

1/SEM

1 primary business of TDI, according to its website, was managing residential and commercial real
2 estate that DANG purchased using profits generated by Network Genesis. TDI also maintained
3 its primary operating accounts with WFB.

4 3. Unindicted co-conspirators EL-1 and DH were Network Genesis employees.

5 4. Unindicted co-conspirators LP and TN received payments on behalf of DANG
6 and Network Genesis for merchandise Network Genesis sold to its customers. DANG directed
7 customers to pay LP and TN, instead of paying Network Genesis directly, for merchandise those
8 customers had purchased from Network Genesis. LP and TN received those payments, deposited
9 the funds into their own bank accounts, then withdrew the cash in structured amounts and
10 funneled the money back to DANG. LP and TN received a 2% commission for this service.

11 5. Unindicted co-conspirator EL-2 owned ECL Market & Deli, a small market that
12 also provided check-cashing services to its customers. EL-2 and ECL received payments from
13 Network Genesis and its customers. EL-2 and ECL also cashed checks made payable to other of
14 DANG's nominees, including LP and TN.

15 6. Unindicted co-conspirator PD was a relative of DANG's who also received
16 payments from DANG's customers and funneled the money back to DANG, including, on one
17 occasion, by helping DANG buy a \$105,000 Mercedes Benz automobile.

18 7. LH, HN, and VN were Cisco employees who sold stolen and counterfeit Cisco
19 merchandise to DANG.

20 8. Network Genesis' customers were located primarily in Southern California, but
21 Network Genesis also had customers in several other states. Network Genesis primarily used
22 Federal Express, a commercial interstate carrier, to ship orders to its customers.

23 Background Regarding Fraudulent Sales of Cisco Equipment

24 9. Cisco Systems, Inc. is a multinational corporation headquartered in San Jose,
25 California, that designs, manufactures, and sells computer networking equipment. Like
26 many successful companies in the Silicon Valley, Cisco has been the victim of a variety of
27 criminal schemes, including counterfeiting and theft. Counterfeiting occurs when Cisco
28 equipment is sold as genuine when it was not manufactured by Cisco or does not contain

1 genuine Cisco parts. Counterfeiters will sometimes misuse Cisco databases to obtain
2 information, including serial numbers and warranty status, about parts that do not belong to
3 them. For example, a criminal might enter Cisco's database to search for serial number
4 information in order to manufacture, alter, or re-label a Cisco part for resale.

5 10. Internal theft occurs when Cisco employees steal equipment, often for the
6 purpose of selling it. Other types of internal theft involve Cisco employees providing
7 Cisco's internal information, including serial numbers, contracts, or warranty information to
8 resellers, who use that information to alter parts or manufacture counterfeit parts for resale.

9 11. A "test sheet" is a document that shows the diagnostic information for a
10 particular part, and that will include the serial number for that part.

11 12. A media access control address (MAC address) is a unique identifier assigned
12 to network interfaces for communications on the physical network segment. MAC
13 addresses are most often assigned by the manufacturer of a network interface controller and
14 are stored in its hardware, such as the card's read-only memory or other stored data location.
15 If assigned by the manufacturer, a MAC address usually encodes the manufacturer's
16 registered identification number and may be referred to as the "burned-in" address.
17 Although it is not particularly difficult to change the serial number sticker affixed to a piece
18 of computer hardware, it is much more difficult to change the internal MAC address.

19 The Scheme and Artifice to Defraud

20 13. Beginning no later than January 2006, and continuing through approximately
21 January 23, 2013, DANG, doing business as Network Genesis, (1) bought counterfeit or
22 stolen Cisco merchandise from Cisco employees, including LH, HN, and VN, and (2) resold
23 that merchandise to Network Genesis customers after altering the external serial numbers to
24 make the items he was selling more difficult to trace. DANG often provided test sheets to
25 his customers that corresponded to the altered serial number on the part he was selling, not
26 to the true internal serial number for that part.

27 //

28 //

14. DANG directed his customers to send payment for the merchandise to nominees, including, among others, LP, TN, EL, and PD, who, in turn, deposited the money into their own bank accounts before funneling it back to DANG.

COUNT ONE: (18 U.S.C. § 1349 – Conspiracy to Commit Mail Fraud)

15. Paragraphs 1 through 14 and the transactions identified in Counts Two through Seven of this Indictment are alleged and incorporated as if fully set forth here.

16. Beginning at a time unknown to the Grand Jury, but no later than in or about January 1, 2006, and continuing through January 23, 2013, in the Northern District of California and elsewhere, the defendant,

CUONG CAO DANG,
a/k/a "Calvin" Dang,

and others both known and unknown to the Grand Jury, conspired to devise and did devise a scheme and artifice (A) to defraud Network Genesis customers as to a material matter, namely, the correct serial number and origin of the item they were purchasing, and (B) to obtain money and property by means of false and fraudulent pretenses, representations, and promises, and by material omissions, and for the purpose of executing such scheme and artifice to defraud, did knowingly and intentionally cause matter to be delivered by the United States Postal Service and private and commercial interstate carriers, in violation of 18 U.S.C. § 1341;

All in violation of Title 18, United States Code, Section 1349.

COUNTS TWO THROUGH SEVEN: 18 U.S.C. § 1341 (Mail Fraud)

17. Paragraphs 1 through 14 are alleged and incorporated as if fully set forth here.

18. On or about the dates set forth below, in the Northern District of California, and elsewhere, for the purpose of executing the material scheme to defraud Network Genesis' customers, and to obtain money from those customers by means of materially false and fraudulent pretenses, representations, promises, and by material omissions, the defendant,

CUONG CAO DANG,
a/k/a "Calvin" Dang,

did knowingly cause to be delivered by the United States Postal Service and private and commercial interstate carriers the following items that were shipped from Network Genesis to the locations set forth in each of Counts Two through Seven:

Count	Date	Description of Mailing	Sent To
TWO	6/17/2010	Shipment of Cisco 7600 Route Switch Processor, Item No. RSP720-3CXL-GE, three items at \$12,000 each	Customer DW Oklahoma City, OK
THREE	6/21/2010	Shipment of Cisco SPA Interface Processor 400, Item No. 7600-SIP-400, two items at \$8,500 each	Customer CCNY, Utica, New York
FOUR	6/23/2010	Shipment of (1) Cisco Catalyst 6500, Item No. WS-SUP720-3BXL, three items at \$8,500 each; (2) Cisco Catalyst 6500, Item No. WS-X6748-GE-TX, one item at \$5,400	Customer TKO Westlake Village, CA
FIVE	6/23/2010	Cisco SPA Interface Processor 400, Item No. 7600-SIP-4000, one item at \$8,500	Customer VDS Oldsmar, FL
SIX	1/03/2013	Shipment of (1) Cisco 7600 Series SPA Interface PROC-400, Item No. 7600-SIP-400, one item at \$2,800; (2) Cisco SUP720 W/2Ports 10GBE, Item No. VS-S720-10G-3C, two items at \$5,000 each.	Customer NS Plymouth, MN
SEVEN	1/03/2013	Cisco SPA-8X1GE-V2 8-PORT Gigabit Ethernet Shared Port Adapter, one item at \$1,400	Customer NHR Santa Barbara, CA

COUNTS EIGHT AND NINE: (18 U.S.C. § 1957 – Monetary Transactions Using Criminally Derived Property)

19. Paragraphs 1 through 14, and the factual allegations contained in Counts Two through Seven, are alleged and incorporated as if fully set forth here.

20. On or about the dates set forth below, in the Northern District of California,
the defendant,

CUONG CAO DANG,
a/k/a "Calvin" Dang,

did, in the United States, knowingly engage in a monetary transaction in criminally derived property of a value greater than \$10,000, said property having in fact been derived from specified unlawful activity, namely, mail fraud, and did so by, through, and to a financial institution, namely Wells Fargo Bank, as set forth in each of Counts Eight and Nine:

Count	Date	Financial Transaction	Amount
EIGHT	4/02/2010	Withdrawal from Network Genesis WFB account ending in x2746	\$1,730,554
NINE	10/21/2010	Withdrawal from Network Genesis WFB account x2746, funds deposited into TDI's WFB account x2546	\$2,000,000

All in violation of Title 18, United States Code, Section 1957.

FORFEITURE ALLEGATION: (18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) –
Forfeiture of Proceeds of Specified Unlawful Activity)

21. Paragraphs 1 through 14, as well as the factual allegations contained in Counts One through Seven of this Indictment, are re-alleged and by this reference fully incorporated here for the purpose of alleging forfeiture pursuant to the provisions of 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. 2461(c).

22. Upon a conviction of any of the offenses alleged in Count One through Seven, the defendant,

CUONG CAO DANG,
a/k/a "Calvin" Dang,

shall forfeit to the United States all property, constituting and derived from proceeds traceable to said offenses, including but not limited to the following property:

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(a) **Real Property:** The following real property and improvements:

- (1) Property - 3016 Beckley Drive, San Jose, CA
APN - 660-26-029
- (2) Property - 2526 Qume Dr. #19, San Jose, CA
APN - 244-16-050
- (3) Property - 3005 Silver Creek Rd. 176, San Jose, CA
APN - 670-43-038
- (4) Property - 2611 Senter Rd., San Jose, CA
APN - 497-36-002
- (5) Property - 3151 Senter Rd., San Jose, CA
APN - 494-01-010
- (6) Property - 1189 S. De Anza Blvd., San Jose, CA
APN - 359-35-017
- (7) Property - 992 Story Rd., San Jose, CA
APN - 477-15-130
- (8) Property - 2897 Bouveron Ct., San Jose, CA
APN - 659-43-105
- (9) Property - 3119 Remington Way, San Jose, CA 95148
APN - 659-20-025
- (10) Property - 1763 - 1771 Blossom Hill Rd., San Jose, CA
APN - 527-33-017
- (11) Property - 3630 Kettman Road, San Jose, CA
APN - 676-23-013

(b) **Five Vehicles:**

- (1) a 2011 Mercedes G550, California License Plate Number 6NBP661, Vehicle Identification Number (VIN) WDCYC3HF4BX186618, registered to Cuong C. Dang;
- (2) a 2007 Mercedes SL550R, California License Plate Number 5VMV977, VIN WDBSK71F17F123035, registered to Cuong Cao Dang;
- (3) a 2011 BMW 328I, California License Plate Number 6MGE874, VIN WBADW7C53BE443536, registered to Ty T. Le;
- (4) a 2007 Lotus, California License Plate Number DUSTIN8, VIN SCCPC111X7HL32749, registered to Cuong Dang; and
- (5) a 2012 Mercedes-Benz SLSC Coupe, California License Plate Number 6WRC046, VIN WDDRJ7HA7CA009308, registered to Cuong C. Dang;

(c) **Bank Accounts:** All United States currency funds or other monetary instruments from the following accounts:

(1) Wells Fargo Bank:

- a. The monies and contents of bank account number ending in x6546, held at Wells Fargo Bank, in the name of The Dang's Investment, Inc.; and
- b. The monies and contents of bank account number ending in x8255, held at Wells Fargo Bank, in the name of The Dang's Investment, Inc.

(2) JP Morgan Chase Bank:

- a. The monies and contents of bank account number ending in x0057, held at JP Morgan Chase Bank, in the name of Cuong Cao DANG;
- b. The monies and contents of bank account number ending in x9825, held at JP Morgan Chase Bank, in the name of Ace Laundromat; and
- c. The monies and contents of bank account number ending in x5896, held at JP Morgan Chase Bank, in the name of Ace Laundromat.

(3) TIAA-CREF Scholarshare:

- a. The monies and contents of the ScholarShare College Savings Plan (CA) account managed by TIAA-CREF for the benefit of Tiffany DANG;
- b. The monies and contents of the ScholarShare College Savings Plan (CA) account managed by TIAA-CREF for the benefit of Michelle DANG;
- c. The monies and contents of the ScholarShare College Savings Plan (CA) account managed by TIAA-CREF for the benefit of Donna DANG; and
- d. The monies and contents of the ScholarShare College Savings Plan (CA) account managed by TIAA-CREF for the benefit of Dustin DANG.

(d) **Cisco Equipment.** All parts seized during the execution of search warrants at the premises of Network Genesis on January 23, 2013, as specifically described in Exhibit A to this Indictment.

23. If any of said property, as a result of any act or omission of the defendant –

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to or deposited with, a third person;

- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

any and all interest defendant has in other property shall be vested in the United States and forfeited to the United States pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c) and Rule 32.2 of the Federal Rules of Criminal Procedure.

SECOND FORFEITURE ALLEGATION: (18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture)

24. Paragraphs 1 through 14, as well as the factual allegations contained in Counts Eight and Nine of this Indictment, are re-alleged and by this reference fully incorporated here for the purpose of alleging forfeiture pursuant to the provisions of 18 U.S.C. § 982(a)(1).

25. Upon a conviction of any of the offenses alleged in Counts Eight and Nine, the defendant,

CUONG CAO DANG,
a/k/a "Calvin" Dang,

shall forfeit to the United States all property, constituting and derived from proceeds traceable to said offenses, including but not limited to the following property:

(a) **Real Property:** The following real property and improvements:

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APN - 660-26-029
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APN - 477-15-130
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- b. The monies and contents of the ScholarShare College Savings Plan (CA) account managed by TIAA-CREF for the benefit of Michelle DANG;
- c. The monies and contents of the ScholarShare College Savings Plan (CA) account managed by TIAA-CREF for the benefit of Donna DANG; and
- d. The monies and contents of the ScholarShare College Savings Plan (CA) account managed by TIAA-CREF for the benefit of Dustin DANG.

(d) **Cisco Equipment.** All parts seized during the execution of search warrants at the premises of Network Genesis on January 23, 2013, as specifically described in Exhibit A to this Indictment.

26. If any of said property, as a result of any act or omission of the defendant –

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

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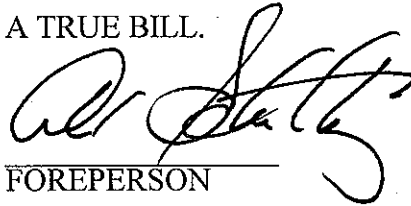
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any and all interest defendant has in other property shall be vested in the United States and forfeited to the United States pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c) and Rule 32.2 of the Federal Rules of Criminal Procedure.

DATED: 7/24/2013

A TRUE BILL.


FOREPERSON

MELINDA HAAG
United States Attorney


MATTHEW A. PARRELLA
Chief, Computer Hacking/Intellectual Property

(Approved as to form:

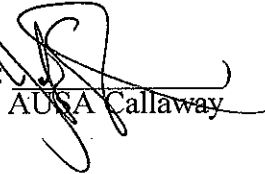

AUSA Callaway

EXHIBIT A

CISCO ITEMS SEIZED		
SEARCH WARRANT DATE:	1/23/2013	
SITE:	2526 QUME DR. #19, SAN JOSE	
Number	Serial #	Product #
1	SAL150458AT	RSP7ZO-3C-GE
2	JAF1450DGEL	N7K-M13ZXP-1Z
3	JAE1ZZ1J166	ASR1000-RP1
4	JAB103401KE	SPA-5X1GE
5	JAE13Z7DEPQ	SPA-1CHOC3-CE-ATM
6		Cisco Catalyst 6513
7		Cisco Catalyst 6513
8		Cisco Nexus 7000
9		Cisco Rack 7600
10		Cisco ASR 1000
11		Cisco 3845
12		Cisco ASR 1004
13	JAB1001039B	SPA-ZX1GE
14	JAB103706EG	SPA-4XOC1Z-POS
15	JAB1010405M5	SPA-1XTENGE-XFP
16	JAE114A5RG3	SPA-4XOC1Z-POS
17	JAE11076E65	SPA-ZX1GE
18	JAB094805XN	SPA-1XTENGE-XFP
19	JAE14200CEX	SPA-4XOC1Z-POS
20	JAE14200CEY	SPA-4XOC1Z-POS
21	JAB093503HE	SPA-ZX1GE
22	JAB093402H2	SPA-4XT3-E3
23	JAE1341L40Z	SPA-1XTENGE-XFP
24	JAB10230A1H	SPA-1XTENGE-XFP
25	JAB105106F9	SPA-1XTENGE-XFP
26	JAB093805B4	SPA-1XTENGE-XFP
27	JAB113804E2	SPA-4XOC1Z-POS
28	JAB1009009D	SPA-ZX1GE
29	JAB09260706	SPA-1XTENGE-XFP
30	JAB0921026Z	SPA-ZXT3-E3
31	JAE15280F1E	SPA-4XCT3-DSO
32	JAB092606Y9	SPA-1XTENGE-XFP
33	JAB09034GR	SPA-1XTENGE-XFP
34	JAB122101PM	N7K-SUP1
35	JAF1520ATLH	N7K-M148GT-11L
36	JAB122000GU	N7K-M148GT-11
37	16412159	PA-ZFE1SL-TX
38	JAB104906AS	SPA-4XOC3-POS-VZ
39	JAE12034X9G	SPA-ZXOC3-POS
40	JAB095005KT	SPA-ZXOC3-POS
41	JAE1238VI7U	SPA-ZXOC3-POS
42	JAB104209B2	SPA-4XOC3-POS
43	JAB110405LD	SPA-4XOC3-POS-VZ
44	JAE10490629	SPA-4XOC3-POS
45	JAB10100J2P	SPA-4XOC3-POS-VZ
46	JAB10060969	SPA-ZXOC3-POS
47	JAE0842YDW5	PA-A3-T3
48	10734271	PA-8T-V35
49	JAB0904041H	SPA-10X1GE
50	JAE1242XFVC	SPA-5X1GE
51	JAB103902GR	SPA-5X1GE
52	JAB093003QA	SPA-5X1GE
53	JAB094403B7	SPA-10X1GE
54	JAB093405W0	SPA-10X1GE
55	JAB104209BS	SPA-4XOC3-POS
56	JAB104209BE	SPA-4XOC3-POS
57	JAE1245ZE9R	SPA-4XOC3-POS-VZ
58	JAE1140YDX3	7600-ESZO-GE3CXL
59	JAE13157582	7600-ESZO-10G3C
60	JAB114201A1	7600-ESZO-10G3C
61	JAE11506HRH	7600-ESZO-GE3CXL
62	JAE104702VA	SPA-ZXOC3-POS
63	JAB101007SK	SPA-ZXOC3-POS
64	JAB095005N0	SPA-ZXOC3-POS
65	JAB093104EN	SPA-ZXOC3-POS
66	JAE11032A5B	SPA-ZXOC3-POS

EXHIBIT A

CISCO ITEMS SEIZED		
SEARCH WARRANT DATE:	1/23/2013	
SITE:	2526 QUME DR. #19, SAN JOSE	
Number	Serial #	Product #
67	JAE1119GR8P	SPA-ZXOC3-POS
68	JAF1449DMAB	N7K-M148GT-11
69	JAB122000V9	N7K-M148GT-11
70	JAE1226MU1Y	7600-PFC3C-10GE
71	JAE1226MUZO	7600-PFC3C-10GE
72	SAL1434RKJJ	VS-F6K-PFC3C
73	SAD120504F9	VS-F6K-PFC3C
74	JAE1128PVSD	7600-PFC3C-10GE
75	JAB105005X0	SPA-1XOC48-ATM
76	JAB110305W1	SPA-1X10GE-WL-VZ
77	JAB103904FL	SPA-1XOC1Z-ATM
78	JAE1349PF5T	SPA-1X10GE-WL-VZ
79	JAE1345N91K	SPA-1XCHSTM1-OC3
80	JAE1138XCOZ	SPA-4XOC3-ATM
81	JAE1349PF5U	SPA-1X10GE-WL-VZ
82	JAE151003FJ	SPA-ZXOC48POS-RPR
83	JAE1133U0KH	SPA-ZXCT3-DS-O
84	JAE110766DD	SPA-4XOC3-ATM
85	JAE1329EO99	SPA-1XOC48-ATM
86	JAB095005XP	SPA-1XCHSTM1-OC3
87	JAE1333GXIF	SPA-4XOC48POS-RPR
88	JAB094907D1	SPA-ZXOC48POS-RPR
89	JAE1138SRW	SPA-4XOC3-ATM
90	JAE1217G0HS	SPA-1X10GE-WL-VZ
91	JAE1035A1NT	SPA-ZXCT3-DS-O
92	JAE1049GH25	SPA-ZXCT3-DS-O
93	JAE14190AFW	SPA-8XOC1Z-POS
94	JAE1341L22E	SPA-8XOC1Z-POS
95	JAE1335I0XR	SPA-8XOC1Z-POS
96	JAE1214D3O5	SPA-8XOC1Z-POS
97	JAE1339K07J	SPA-8XOC1Z-POS
98	JAE12046H7B	SPA-4XOC3-POS
99	JAE1117EE47	SPA-4XOC3-POS
100	SAL1004BGNP	WS-X614-8V-GE-TX
101	SAL10019PN1	WS-X614-8V-GE-TX
102	SAL1050ASCY	WS-X614-8V-GE-TX
103	SAL1022PTYZ	WS-X614-8V-GE-TX
104	JAB104505LU	7600-ESZO-GE3CXL
105	JAB113800NG	7600-ESZO-10G3C
106	JAE1140YDVA	7600-ESZO-GE3CXL
107	JAB11130134	7600-ESZO-10G3CXL
108	JAB1047041B	7600-ESZO-10G3CXL
109	SAD0930C82	WS-F6K-PFC3BXL
110	SAD093008RF	WS-F6700-DFC3BXL
111	JAB101505YN	SPA-ZXOC3-ATM
112	JAB092306BJ	SPA-ZXOC3-ATM
113	JAB1029053A	SPA-ZXOC3-ATM
114	JAB09470174	OSM-4OC1Z-POS-SIT
115	SAD100105JH	WS-SVC-NAM-Z
116	JAE1129QRK1	RSP7ZO-3CGE
117	JAE11221IZP2	ASR1000-SIP10
118	SAL150355EC	RSP7ZO-3CGE
119	JAB12230101	N7K-SUP1
120	JAB122200U3	N7K-M13ZXP-1Z
121	JAF1518DFER	N7K-M148GS-11L
122	SAD084104RF	WS-X6148-GE-TX
123	SAL11413X7N	WS-X6148-GE-TX
124	SAL11413X4U	WS-X6148-GE-TX
125	SAL10019L1J	WS-X6148-GE-TX
126	SAD08250A9G	WS-X6148-GE-TX
127	JAE12503BF1	SPA-IPSEC-ZG
128	JAB0934096T	SPA-IPSEC-ZG
129	JAB110105BJ	SPA-ZXOC1Z-POS
130	JAB104804U5	SPA-ZXOC3-POS
131	JAE12099NKR	SPA-Z4CHT1-CE-ATM
132	JAE11506ZPE	SPA-Z4CHT3-CE-ATM

EXHIBIT A

CISCO ITEMS SEIZED		
SEARCH WARRANT DATE:	1/23/2013	
SITE:	2526 QUME DR. #19, SAN JOSE	
Number	Serial #	Product #
133	JAE1351RR3P	SPA-1XOC48POS-RPR
134	JAE134AQ2L7	SPA-OC1AZPOS-XFP
135	JAE12503BEF	SPA-IPSEC-ZG
136	JAB0918063G	SPA-IPSEC-ZG
137	JAB094305DS	SPA-IPSEC-ZG
138	JAE115295AT	SPA-1CHOC3-CE-ATM
139	JAB10210JW5	SPA-IPSEC-ZG
140	JAE12034XAL	SPA-ZXOC3-POS
141	JAB110605J1	SPA-ZXOC1Z-POS
142	JAB093901SA	SPA-OC1AZPOS-LR
143	JAB094803WY	SPA-ZX1GE
144	JAB093003Q3	SPA-5X1GE
145	JAB101500UG	SPA-ZX1GE
146	JAE1115C5WZ	SPA-ZX1GE
147	SAL10019M8W	WS-X6148-GE-TX
148	SAL100195RL	WS-X6148-GE-TX
149	JAB093205PC	OSM-1OC48-POS-SST
150	JAB0907014S	OSM-4OC3-POS-SIT
151	SAL1450290Y	WS-X6716-1OT-3C
152	SAL15045S9D	RSP7ZO-3C-GE
153	SAL14502909	WS-X6716-1OT-3C
154	NSG0532904L	73-7409-O3
155	JAB10340608	SPA-1XOC12POS
156	SAL09073SKN	
157	SAL1101D0U9	
158	SAL11413EYS	
159	SAL1023QA6E	
160	SAL1214KX5X	
161	SAL1205ESCN	
162	SAL1209H6MZ	
163	SAL1207GEWH	
164	SAL1022Q094	
165	SAL1214KWZL	
166	SAL1208HJA	
167	SAL1215M5HS	
168	SAD12050506J0	
169	SAL1014HVPS	
170	SAD1150018	
171	SADE1113019C	
172	SAL1213K4BV	
173	JAE1124LFKE	
174	JAB100800ZW	
175	JAB102400AK	
176	SAL10360H0J	
177	SAL1316N93N	
178	SAL12351KBP	
179	SAD1025094L	
180	99JHC040200620	
181	1021302L	Cisco 3600
182	JAE1ZZ1J166	ASR1000-RP1
183	JAB110106GH	SPA-1XTENGE-XFP
184	JAE13Z7DEPQ	SPA-1CHOC3-CE-ATM
185	JAB103AO1KE	SPA-5X1GE
186	JAF145ODGEL	N7K-M13ZXP-1Z

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

SEE ATTACHMENT

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: SEE ATTACHMENT

 Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

JUL 24 2013

DEFENDANT - U.S.

 RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT

CUONG CAO DANG, a/k/a Calvin DANG

NORTHERN DISTRICT OF CALIFORNIA

DISTRICT COURT NUMBER

CR13 00486

EJD

DEFENDANT

PSG

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

S/A Quyen Barg /IRS

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under:

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) DAVID R. CALLAWAY

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

 1) ☐ If not detained give date any prior summons was served on above charges

 2) ☐ Is a Fugitive

 3) ☐ Is on Bail or Release from (show District)
IS IN CUSTODY
 4) ☐ On this charge

 5) ☐ On another conviction

☐ Federal ☐ State

 6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: NO BAIL

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

Date/Time: Before Judge:

Comments: GOVERNMENT WILL REQUEST DETENTION

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Penalty Sheet Attachment
United States v. CUONG CAO DANG,
a/k/a "Calvin" Dang

Count One: 18 U.S.C § 1349 – Conspiracy to Commit Mail Fraud

Counts Two through Seven: 18 U.S.C. § 1341 – Mail Fraud

Counts Eight and Nine: 18 U.S.C. § 1957 – Engaging in Monetary Transactions Using
Criminally Derived Property

Penalties:

Count One: Up to 20 imprisonment; \$250,000 fine (or twice the gross gain or gross loss); three years supervised release; \$100 special assessment

Counts Two through Seven: Up to 20 years imprisonment; \$250,00 fine (or twice the gain/loss); three years supervised release; \$100 special assessment

Counts Eight and Nine: 10 years imprisonment; \$250,000 fine (or twice the amount of the criminally-derived property involved in the transaction); three years supervised release; \$100 special assessment

First Forfeiture Allegation: 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(C) - Forfeiture of
Criminally Derived Proceeds

Second Forfeiture Allegation: 18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture